

Message Text

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PAGE 01 BUCAR 00532 251009Z
ACTION NEA-10

INFO OCT-02 EUR-12 EB-08 COME-00 ISO-00 L-03 /034 W
-----000411 251850Z /43

R 250737Z JAN 78
FM AMEMBASSY BUCHAREST
TO SECSTATE WASHDC 7598
INFO AMEMBASSY DOHA

UNCLAS BUCHAREST 0532

E.O. 11652: N/A
TAGS: BDIS, RO
SUBJECT: TRADE DISPUTE: EAST EUROPE DOMESTIC INTERNATIONAL SALES
CORP V. QATAR NATIONAL CEMENT COMPANY

REF: STATE 4526

1. TO OBTAIN VITROCIM'S SIDE OF SUBJECT DISPUTE EMBASSY
COMMERCIAL ASSISTANT MET WITH LEONTE CALINESCU OF VITROCIM'S
CEMENT DEPARTMENT AND WAS GIVEN FOLLOWING INFORMATION.

2. FROM 1972 TO 1976 ROBERT ROSS OF EAST EUROPE DISC SIGNED
5 OR 6 CONTRACTS WITH VITROCIM FOR PURCHASE OF CEMENT;
HOWEVER, THESE WERE NEVER PAID FOR AND THE CONTRACTS LAPSED.
SUBSEQUENTLY, IN 1976 ROSS SIGNED A CONTRACT (31214/60043)
FOR PURCHASE OF 50,000 TONS OF CEMENT, WHICH WERE TO BE
DELIVERED IN 5 LOTS OF 10,000 TONS EACH. DELIVERY TERMS WERE
FOB CONSTANTA WITH FIRST SHIPMENT IN APRIL 1976 WITH OTHERS
SHIPPED IN THREE WEEK INTERVALS. FIRST LOT PAID FOR AND
DELIVERED AS SCHEDULED, BUT AS ROSS DID NOT OPEN A LETTER
OF CREDIT FOR THE OTHERS HE FOREITED HIS RIGHTS TO THE
OTHER LOTS. DURINLIVIS C YI BUCHAREST IN SPRING OF 1976
ROSS ALLEGEDLY AGREED TO LOSS OF HIS RIGHTS TO SECOND AND
THIRD LOTS BUT INSISTED ON RECEIVING FOURTH AND FIFTH ONES.
NEVERTHELESS, ROSS DID NOT PAY FOR THESE AND VITROCIM
CANCELLED THE CONTRACT ON JUNE 8, 1976. IN FEBRUARY 1977,
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ROSS RETURNED TO BUCHAREST AND SIGNED AN AGREEMENT WITH
VITROCIM CANCELLING HIS RIGHTS TO CEMENT PREVIOUSLY
CONTRACTED AS LONG AS VITROCIM WOULD CONTRACT FOR A NEW
ORDER OF 20,000 TONS OF CEMENT (CONTRACT NO 31214/70009).
WE WERE SHOWN COPY OF AGREEMENT. PERTINENT PORTION READS
AS FOLLOWS QUOTE...BOTH PARTIES CONSIDER AS TOTALLY
EXTEINGUISHED THE DISPUTED ARISEN FROM THE CONTRACT

31214/60043, WHICH IS HENCEFORTH CONSIDERED AS CONTRACT
31214/70009 UNQUOTE. NEW DELIVERY TERMS AND DEADLINES
FOR OPENING LETTER OF CREDITS AND SENDING VESSELS TO
CONSTANTA WERE ESTABLISHED HOWEVER, TO DATE, ROSS HAS
NOT COMPLIED WITH ANY OF THESE CONDITIONS. THEFORE,
VITROCIM HAS AGAIN UNILATERALLY CANCELLED THE LAST CONTRACT.
AGGREY

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Message Attributes

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Disposition Event:
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